

Translation

Rec'd PCT/PTO 11 OCT 2004  
PATENT COOPERATION TREATY

PCT/DE2003/001054



# PCT

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 2002P00278WO	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/DE2003/001054	International filing date ( <i>day/month/year</i> ) 31 March 2003 (31.03.2003)	Priority date ( <i>day/month/year</i> ) 11 April 2002 (11.04.2002)
International Patent Classification (IPC) or national classification and IPC G01R 33/385		
Applicant SIEMENS AKTIENGESELLSCHAFT		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 4 sheets, including this cover sheet.

☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 17 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 17 October 2003 (17.10.2003)	Date of completion of this report 30 June 2004 (30.06.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/DE2003/001054

## I. Basis of the report

### 1. With regard to the elements of the international application:\*

- ☐ the international application as originally filed
- ☒ the description:  
 pages \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages 1-14, filed with the letter of 11 June 2004 (11.06.2004)
- ☒ the claims:  
 pages \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, as amended (together with any statement under Article 19  
 pages \_\_\_\_\_, filed with the demand  
 pages 1-14, filed with the letter of 11 June 2004 (11.06.2004)
- ☒ the drawings:  
 pages 1-6, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☐ the sequence listing part of the description:  
 pages \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_

### 2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

### 3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

### 4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/fig \_\_\_\_\_

### 5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\*

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

\*\* Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/DE 03/01054

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. Statement**

Novelty (N)	Claims	1-14	YES
	Claims		NO
Inventive step (IS)	Claims	1-14	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-14	YES
	Claims		NO

**2. Citations and explanations**

Novelty, inventive step, industrial applicability (PCT Article 33(1) to (4))

Claim 1 is delimited over D1, which reflects the closest prior art. D1 discloses a magnetic resonance tomography device with a magnet body (6 in figure 2 of D1) surrounded by a magnet shell (7 and 4 in figure 2 of D1), which surrounds and delimits an inner area in which a gradient coil system (3 in figure 2 of D1) is located, this gradient coil system, in turn, housing an inner encapsulation cylinder (1 in figure 2 of D1; see also paragraph 38 in D1). The magnet shell and the gradient coil system are acoustically sealed off toward the outside from the inner encapsulation cylinder and a capsule (17 in figure 2 of D1) consisting of sound-absorbing foam material, so that acoustic vibrations, which are produced when the gradient coil system is switched and are transmitted to the magnet shell, do not penetrate the outer area.

The subject matter of claim 1 differs from this prior art in that the capsule is made up of three layers, namely a cover layer, a complete foam layer and a partial foam layer. This leads to further improvement in the sound

insulation. The problem addressed by the invention is therefore that of optimizing the sound insulation.

The prior art does not suggest an acoustic encapsulation system whose resonance is changed to acoustically non-disruptive, low frequencies by the use of a triple layer design of this type. Claim 1 and its dependent claims, claims 2 to 14, therefore meet the requirements of PCT Article 33(1) to (3). All the claims are clearly industrially applicable.

#### Amendments

Claim 1 contains the original claims 1 to 3 and has been clarified on the basis of the original description, page 3, lines 19-20, page 9, lines 14-15 and page 11, lines 24-28, and the originally submitted figures 1, 2 and 8 to 10.